

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.1075 OF 2000

The Commissioner of Income Tax,
Mumbai City III .. Appellant.
V/s.

M/s.Aryavarta Petro Chem
Allied Industries Ltd. .. Respondent.

Mr.D.N. Salvi for the appellant.
Mr.P.C. Tripathi i/b. G.V. Parmar for the respondent.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 14TH MARCH, 2005.

P.C. :

Since the issue is covered by the judgment of the Apex Court in the case of CIT V/s. Indo Nippon Chemical Co. Limited [261 ITR 275], the learned counsel appearing for the revenue on instructions sought permission to withdraw the appeal. Accordingly, the appeal is allowed to be withdrawn. The same is dismissed as withdrawn with no order as to costs.

2. It is made clear that the revenue would be entitled for refund of court fee as per rules.

(V.C. DAGA, J.)

(J . P . DEVADHAR, J .)